

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND VENUE

OFFENSE CHARGED18 U.S.C. § 111(a) - Assault on Federal Officer
or Employee☐ Petty☐ Minor☐ Misdemeanor☒ Felony

PENALTY: Imprisonment: Maximum 8 Years
 Fine: Maximum \$250,000
 Supervised Release: Maximum 3 Years
 Special Assessment: Mandatory \$100

DEFENDANT

APR 24 2012

JOSE ANTONIO GUTIERREZ

RICHARD W. WIEKING

DISTRICT COURT NUMBER CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**CR 12 0293 PJH****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

United States Marshals Service

☐ person is awaiting trial in another Federal or State Court,
give name of court☐ this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on motion
of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a
pending case involving this same
defendantMAGISTRATE
CASE NO.☒ prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

4:12-70377 MAG

Name and Office of Person
Furnishing Information on this form

MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned)

WILLIAM N. GULLOTTA, SAUSA

DEFENDANT**IS NOT IN CUSTODY**1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior
summons was served on above charges2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
been filed? ☐ NoIf "Yes"
give date
filedDATE OF
ARRESTMonth/Day/Year
4/2/2012

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or
warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

United States District Court

E-filing

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

CR 12 0293
UNITED STATES OF AMERICA,

v.

JOSE ANTONIO GUTIERREZ,

FILED

PJH APR 24 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT.

INDICTMENT

18 U.S.C. § 111(a) – Assault on Federal Officer or Employee

A true bill.

Julie Munner
Foreman

Filed in open court this 24th day of

April, 2012
L. Smith
Clerk

CRP Bail, \$ no money

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

APR 24 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ANTONIO GUTIERREZ,

Defendant.

CR

12

0293 PJH

VIOLATION: 18 U.S.C. § 111(a) – Assault
on Federal Officer or Employee

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 111(a) – Assault on Federal Officer or Employee)

On or about April 2, 2012, in the Northern District of California, the defendant,

JOSE ANTONIO GUTIERREZ,

did forcibly assault a person designated in Title 18, United States Code, Section 1114, namely,
Deputy United States Marshal (“DUSM”) Shaygan Shakeri, and did make physical contact with
DUSM Shakeri while DUSM Shakeri was engaged in and on account of the performance of
official duties, to wit, GUTIERREZ lunged toward DUSM Shakeri, made physical contact with

INDICTMENT

1 him and shoved him from behind with both hands.

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3 DATED: April 24, 2012

A TRUE BILL.

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7 MELINDA HAAG
United States Attorney

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FOREPERSON

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MAUREEN BESSETTE
Chief, Oakland Branch

(Approved as to form:


SAUSA WILLIAM J. GULLOTTA